



# The Lake Guardian

Spring, 2011

Mike Schitt

## President's Message: *Maybe - Maybe Not*

I marvel at the way living systems heal and adapt to change when stressed.

We read stories of oil-devouring bacteria proliferating in the gulf. We witness miraculous recoveries from people in automobile accidents.

We can only hope for full recovery in Japan from their triple assault, because we know there's a tipping point beyond which recovery is not possible. It's not easy to define when a system has reached its limit; often we identify it in hindsight.

What about our lake and the watershed? Our lake has adapted to centuries of use and change. The practices of tanning leather, logging, and generating electricity from burning coal all left a mark on the lake...yet it 'seems' to have cleaned itself up and remain free of pollutants.

We've chosen to develop the land around the lake, altering wetlands, shorelines, and habitat. The lake 'seems' to have survived the cumulative effects of development.

But will it reach a tipping point? When will the next acre of deforestation, the next industrial water consumer or even the next shoreline development create an imbalance that leads to lake eutrophication or ground water pollution?

Only hindsight will tell us when the lake and watershed can't repair itself. That's why LCA, Tip of the Mitt Watershed Council, and Friends of the Jordan and Boyne Rivers have been working for years to foster lake-friendly practices in our communities. Restoring shoreline vegetation and stabilizing erosion is a start. Growing more fish and fostering a vibrant food web are also good starts.

But for every restoration, there are more human decisions that level trees, destroy wetlands or exceed the capacity of existing septic fields. Our best intentions of making improvements may in effect be adding stress to this living system. Please take a minute to 'ask an expert' who is committed to a healthy lake before doing your next home or land improvement.

*Sue Costa*

## Healthy Fish = Healthy Lake

By Dan Mishler, 1st Vice President

As summer approaches, I am excited about starting the installation phase of our new fish habitat improvement project. Hopefully everyone has by now read the brochure highlighting our plans. We hope you have also mailed your permission form to us and sent an email to dan@lakecharlevoix.org to be placed on our list to receive email updates as we progress.

The brochure, which can also be viewed at lakecharlevoix.org, was designed to give a good overview of the project, but there a couple points that I would like to develop a bit further in this newsletter. Those two points are around near-shore habitat and the "adopt-a-reef" option.

### Near-Shore Habitat

Lake Charlevoix is absolutely one of the top few most beautiful lakes in this whole region of the country. There are many important factors that go into making and keeping Lake Charlevoix beautiful, and one of those factors is a healthy, vibrant and dynamic ecosystem. There are many pressures that influence the ecosystem, from invasive species like phragmites, mussels or gobies, to more locally caused issues like overdevelopment of the shoreline and overuse of lawn fertilizers. The ecosystem and the beauty are inseparable. You really can't have the beauty without the healthy ecosystem.

One of the important factors contributing to a healthy ecosystem is a natural shoreline. If there were no homes on Lake Charlevoix's waterfront, the shoreline would likely look very different than it does today. In a natural setting, trees along the shoreline would naturally fall into the lake and grasses and other vegetation would be allowed to grow in exposed bottomland. There would be no lawns down to the water's edge which are fertilized and there would be a healthy barrier of vegetation along the shoreline to reduce run-off.

Some of these more natural conditions are compatible with human use and some are more difficult to accept, but all of them would be better for the health of the lake.

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# The Shoreline Ambassador Program is Making a Difference

By Paul Witting

The Shoreline Ambassador Program was launched last summer and has been assessed by folks around the lake as a fine effort to enhance the communication between lake users and the Association leadership. There are currently 14 volunteers participating in this program with several more to be added this summer.

## What is the Shoreline Ambassador Program?

Lake Charlevoix has more than 60 miles of shoreline, and that shoreline, as well as the lake itself, is constantly changing. The Lake Charlevoix Association (LCA) the guardian of the lake, needs to keep track of significant changes and issues that can affect the

future of our shared treasure. To do that, the LCA needs eyes, ears, and brains all around the lake. And that is what the Shoreline Ambassador Program is all about.

Each Shoreline Ambassador is a volunteer and covers a discrete shoreline area, generally three or four miles in length. He or she is interested in all the issues confronting the lake – from invasive species to water quality to greenbelt protection. The Ambassador brings situations of opportunity and concern to the LCA leadership and serves as a channel of communication to the LCA Board and lake users.

Overall, the program helps unify lake residents, recreational users, and all the people working around the lake in their efforts to preserve and protect our lake and watershed.

- an additional way for the LCA to communicate with lake users
- an assist to the LCA in recruiting and retaining members
- a means of welcoming new lake-front owners and providing them with LCA information
- an assist in identifying volunteers for new projects
- LCA individuals to attend township, city and state meetings
- volunteers to arrange special LCA events in his/her shoreline area
- volunteers to gather information on any subject involving the lake

At various times of the year, Shoreline Ambassadors gather for group meetings and occasionally meet as a group, or individually, with LCA Board members.

This is a fun program giving folks who treasure the lake a chance to do their part is protecting it...and, Ambassadors get the opportunity to meet a whole bunch of new people. We encourage anyone interested in getting involved to contact Paul Witting. Phone: 231-675-5207 email: [pwitting@charter.net](mailto:pwitting@charter.net)

## LCA Board of Trustees

- Sue Costa - President
- Dan Mishler - 1st Vice President
- Mike Dow - Treasurer
- Brian Chamberlain - Secretary
- Jonathan Friendly, Director
- Paul Nowak - Director
- Sherry Pursel - Director
- Sam Williamson - Director
- Paul Witting - Director

**The Lake Guardian**  
*Executive Editor: Jonathan Friendly*  
*Managing Editor: Anne Fleming*

*The Lake Charlevoix Association is a non-profit, 501(c)(3) organization. All dues and contributions are fully tax-deductible.*

## What are the duties/responsibilities/challenges of a Shoreline Ambassador?

Shoreline Ambassadors provide:

- a physical presence of the LCA around the lake
- lake users with a simple and direct way to contact the LCA

## Membership Renewal Process Simplified

Because many members have found that they can't always remember when to pay dues under our rolling 12-month renewal program, we've changed to make membership yearly, beginning each June 1st. Current members, as well as new members, signing up before June 1 will have their memberships extended to June 1, 2012. Members or new members signing up after June 1 will have the length of their membership months shortened. If they choose, these folks may adjust the amount of their payment by \$2 a month to reflect the reduced length of their membership.

Look for and "like" our new Facebook page.



Todd Parker

### Shoreline Protected as Preserves

Little Traverse Conservancy recently purchased a 17-acre nature preserve along the south arm. Funding for the purchase was provided with a grant from the Charles M. and Joan R. Taylor Foundation and the preserve is called the Charles M. Taylor III Nature Preserve. The land was purchased from the Olstrom family: Louise Vanderlaan, Neil Olstrom, Bill Olstrom, and Susan Vron-dran. The four siblings have additionally donated a 100-foot waterfront piece, adjacent to the new Taylor Preserve, that has been called the Olstrom Family Nature Preserve in memory of their parents. For more information about these newly-protected properties, call Little Traverse Conservancy at 231-347-0991.

### Healthy Fish = Healthy Lake *continued from cover*

The Charlevoix and Antrim County Conservation districts are working together to provide a program that will encourage shoreline residents to keep their shoreline more natural and teach us all how to do that. With LCA's fish habitat improvement project, we are addressing the very important natural habitat in the near shore area. Those trees that should be falling in the lake, as well as the grass that should be growing in the bottomland, provide critical habitat for newly-hatched fish and for other plants and animals important to the food chain.

So our task becomes finding a compromise so that we can get homeowners to help us develop this critical habitat in 1-10 feet of water. Not many will likely fall or drag a large tree onto their beach. The optimal time for fish to use these structures is from about May 15 to July 15, just after spawning time, so a structure could be installed with (and right under) a seasonal dock.

Since the water is more clear now, it has been reported that fish are spawning in a bit deeper water than they used to, so that these structures would be helpful in water up to 10 feet deep. With this in mind we also plan to place

structures out further from shore. Ideal locations would be any area where we could place a 2-3 foot high structure in 8-10 feet of water. In deeper water we will maintain 10 feet of clear water above all added structures. In shallower water we will consider approaching the USACE minimum of 5 feet. This shallow water structure is critical for the overall health of the lake's ecosystem and therefore the beauty of the lake.

Rest assured that we will only place these structures where we have support and permission from local property owners. If you would be willing to have a structure under your dock or in up to 10 feet deep water on your property please see the instructions at the end of this article.

### Adopt-a-Reef

We are also looking for property owners or anglers with friends who are to organize a group of contiguous property owners to work together to install a reef on that property. What a great summer project and what a great investment for your future enjoyment of the lake.

Can you develop a reef where your children or grandchildren can always

count on getting a bite? How cool would that be? The LCA Adopt-a-Reef program encourages just that. We will be vigilant in ensuring that all guidelines are followed and we will monitor all work, but we will be on your side and help you to develop that sweet little fishing hole we all wish we had. Our goal is to develop around 120 reefs, in the 15-25 feet of water, over the next 5 years. These deeper water structures are intended to concentrate both bait fish and game fish.

We have been told by the experts that only about 5% of the walleyes in Lake Charlevoix are harvested annually, so this is an underused resource. Having better habitat in the lake should help anglers in their quest. We are hoping that many groups of neighbors will participate in this fun and rewarding program.

*To participate in either the "Near-Shore Habitat" project or the "Adopt-a-Reef" program, please fill out the permission slip from the brochure or lakecharlevoix.org and mail it back to us ASAP. Then please send an email to dan@lakecharlevoix.org to tell us of your interest and to be placed on the email list.* 

## June 9 Talk Explores "Saving the Family Cottage"

Keeping a family's summer place safe for the next generation can be a challenge in estate planning. For ideas on how to meet the challenge and the latest news on state and Federal rules governing these transfers come to a public lecture Thursday, June 9, at 7 p.m. at the Charlevoix Public Library. LCA is sponsoring the presentation by David Fry, co-author of the third edition of "Saving the Family Cottage," a book originally authored by the late Stuart Hollander in Suttons Bay.

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### *Yes, Lake Levels Are Down!*

At the end of April, lakes Michigan and Huron were eight inches below their level at this time last year and were expected to rise ten inches by July, according to the U.S. Army Corps of Engineers. They would still remain about four inches below last year's high. Lake Superior, seven inches below last year, is expected to rise 14 inches by July.

Our Lake Charlevoix and Lake Michigan water levels move together, because of the connection through Round Lake, so we can expect to see a small rise as we head toward summer.

It's important for boaters to note that the water levels for lakes Michigan and Huron are below chart datum and expected not to reach chart datum until June.

A chart of this information can be found on our LCA website ([lakecharlevoix.org](http://lakecharlevoix.org)).

### *Phragmites Update*

2011 is the third and final year of the three-year project to control phragmites on Lake Charlevoix. Our volunteer teams will again be surveying the lake in late July and early August, with treatment planned for early September. LCA plans to hold training seminars in mid-summer to help educate homeowners about treatment of smaller stands, as LCA is planning to phase out hiring professional applicators now that the major stands are greatly reduced. **WE NEED YOUR HELP** this year with permission slips. If you signed a permission slip in 2009, that permission has expired and we will need a new slip signed and returned to us before we can treat this year. If you have had phragmites on your property in the past and are unsure of the date of your permission slip, please print a slip from [lakecharlevoix.org](http://lakecharlevoix.org) and return it to us to save us tracking you down. Thanks in advance for your help in this matter.

### *Court Affirms Riparian Rights Of Pine Point Front Owners*

Front-lot owners on Beach Drive in the Pine Point neighborhood of Charlevoix Township do have the right to decide what docks, boat hoists, or other uses they will allow on their shoreline.

In a 4-3 decision rendered in December, the Michigan Supreme Court ruled for the front-lot owners against a number of back-lot owners in Pine Point who wanted to continue putting their own docks on the lake side of Beach Drive. The front-lot owners, worried about liability and other issues, filed suit in 2007 to stop the practice.

The question was who holds the riparian rights to lake front property if a

road separates the front lot owners from the lake. Back lot owners in Pine Point were joined by the Charlevoix County Road Commission in the case, claiming that the land between the road and the lake was "public" land and therefore the public held the riparian rights.

The Michigan Supreme Court's decision in this case, 2000 Baum Family Trust, et al v Babel, et al, is important because it clearly states that for over 130 years state law, tested in numerous court cases, gives riparian rights to front lot owners who are separated by a road or walkway from a lake. The lower court decision did not answer who had

riparian rights and was completely disregarded by the appeals court which came up with its own version of who had the rights. Appeal to the Supreme Court was accepted because the appeals court decision would have changed Michigan law for the whole state.

Many properties in the state and a number in Charlevoix County on Lake Charlevoix have a road between them and the lake, and their riparian rights could have been questioned. The Supreme Court's decision now clarifies the specific situation on Lake Charlevoix and affirms the well-established precedents across the state. 